

Dear Judge Bianco,

I wrote this letter in an attempt to explain the amplitude of the damage that some of my friends and former teammates and I, along with our respective family members, endured due to the financial rackets and deceits we fell victim to, by our former financial advisor, Phil Kenner, and his partner Tommy Constantine.

As it was already shared, Phil Kenner was my roommate during our college years at Rensselaer Polytechnic Institute (RPI) between 1987 and 1991 and at that time became a trusted friend which I eventually chose to be my best man at my wedding. On top of being roommates and classmates, Phil Kenner and I also were teammates for the RPI Engineers hockey team, competing in the Eastern Collegiate Athletic Conference (ECAC). We therefore formed a very strong relationship, sharing team values and growing together as athletes, students and human beings while learning and utilizing many important life skills such as effort, perseverance, thoroughness, respect, unselfishness, confidence, etc., needed in purpose to be successful while competing in Division 1 college hockey.

Following my college years, when my professional hockey career succeeded, neither my education nor my background prepared me to manage the important sums of money I had labored to accumulate. Since my best friend at RPI had become a registered financial advisor, I believed that I could entrust him with my financial affairs, tranquil in the belief that I could rely on him to preserve my family's financial well-being and secure my investments and net worth.

In order to fully comprehend the amplitude of the fraud perpetrated upon us by Phil Kenner, I have previously shared with you the list of all the private placements in which he invested some of my capital, on my behalf, in his professional capacity. Although the list clearly demonstrated the following fact, I cannot stress it enough: every single project in which he invested my capital resulted in complete and ignominious failures and ultimately bankruptcies, pushing many of us to eventually believe in financial scams against us; friends-clients who trusted him.

Many of those investments and probable scams were, to my knowledge, never mentioned during the trial. To my astonishment, the trial only concentrated on a few specific projects. I was distressed and fell very sorry that some the most important investments, resulting in major losses for me and others, were left out of the trial entirely. For example, I lost \$1.5 million in a single project, called Code Fire, which was never mentioned at trial, unless I'm wrong. Although there is no trail indicating where my money actually went, I strongly suspect that Phil Kenner used those funds stolen from me for some of his personal projects, like when he build the mansion in Scottsdale, Arizona, that I believe was seized by the authority when he got arrested a few years back.

Beyond the purely monetary frauds orchestrated and perpetrated by Phil Kenner, another aspect not brought to trial, and which in my mind is worst and most difficult to endure and overcome, is the extreme emotional distress Phil Kenner's intentional criminal actions inflicted upon me, my family, and other victims.

In his professional capacity, Phil Kenner also one day advised me and others to participate in a tax strategy called a "Registered Compensation Agreement" (RCA). The implementation of this strategy consisted of an individual remitting 50% of their income to the Canadian Government as tax while the other 50% was deposited into a special RCA account. I was explained that, at retirement, if I spent 2 years outside of Canada and lived in a State where the income tax rate is less than 50%, I could then withdraw the deferred income from the RCA account and claim the excess tax that had been paid to the Canadian Government.

Having followed his professional advice and adopted the RCA strategy, when I retired from my professional hockey career, I then forced relocated myself, my wife and my two daughters to New Hampshire in order to complete the strategy he had engaged me in. This period of time was very difficult for me and my family, and put enormous stress upon my family and love relationship. Naturally, after the required 2 year period passed, I was enthusiastic at the prospect of finally going home and fervently asked Phil Kenner to cash-in my RCA and prepare the documents required for me to claim the excess tax that was collected at the source by the Canadian Government. Phil Kenner continuously dragged his feet and never delivered on his promise to take care of this matter, very often not even returning phone calls and emails.

Personally exasperated with the situation, along with my love relationship being at the brink of rupture, I retained the services of another financial advisor to complete the strategy. When I spoke to my new and still current financial advisor, he clearly explained the exact rules of this strategy. To my utter astonishment, I found out that I was never eligible for this tax strategy as I would have had to forfeit all of my ties with Canada and become a non-resident in order to fully qualify. My family and I spent 2 years of our lives away from everything and everyone we loved most. I risked a lot because of Phil Kenner's financial plans and forced my children and spouse into a difficult situation of alienation, and all of that hardship was for absolutely nothing.

I can quantify the monetary value of the loss I personally incurred due to this predeterminedly doomed strategy, however, I can't even begin to fathom the way I could describe the angst and anxiety I felt during my first 2 years of retirement from professional hockey, nor put a value on the few years of extreme stress and hardship my family endured and the resulting guilt I experienced at making them live through it for nothing.

Another matter that can't be quantified in monetary terms is the responsibility I still carry on my shoulders in regards to all my former colleagues, friends and their families who also lost a lot of money through Phil Kenner's illicit schemes. I am the individual who introduced Phil Kenner to many of the hockey players who eventually became his clients, friends, and ultimately his victims. The fact that so many of these people have suffered because of my introduction to Phil Kenner will always be an enormous burden for me to bear.

I do not know what assets the court will be able to recover from Phil Kenner and Tommy Constantine. I do not know how the court intends to proceed with the distribution of these assets. However, I want you to know that I would find it very inappropriate, even unjust, not to take the total monetary loss from all victims into consideration during the process, nor to omit the

extreme emotional distress Phil Kenner inflicted upon us and our families over the course of this seemingly unending ordeal.

Most sincerely,

Joé Juneau